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Attorneys for LISA NOVAK and PATRICK NOVAK

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LISA NOVAK and PATRICK NOVAK, as the heirs and representatives of the decedent, Michael Robert Novak.

Case No.: 1:20-cv-00301-DAD-SKO

Plaintiffs,
v.

**STIPULATION AND ORDER TO
CONTINUE NON-EXPERT
DISCOVERY DEADLINE**

CITY OF MADERA, a municipal entity of the State of California, KAYLA CLARK, DORIAN LASSO, ROBERT MAHONEY, and ANTHONY MARTINEZ, and DOES 1 through 10, inclusive.

(Doc. 25)

Defendants.

STIPULATION

Pursuant to Federal Rule of Civil Procedure 16(b)(4), plaintiffs Lisa Novak and Patrick Novak (“Plaintiffs”) and defendants Madera, Kayla Clark, Dorian Lasso, Robert Mahoney, and Anthony Martinez (“Defendants”) (collectively, the “Parties”) stipulate as follows:

1. Section VI of the Court's July 7, 2020 Scheduling Order (Dkt. No. 12) set a deadline of May 3, 2021 to complete all non-expert discovery, including motions to compel any non-expert discovery.

Stipulation and Order to Continue Pleading Amendment Deadline

1 2. The Parties have completed six (6) depositions to date. Three (3) additional depositions are
2 necessary and have not yet occurred. In addition, a third-party witness just came to the attention of
3 Plaintiffs' counsel on Friday, April 23, 2021, and may also need to be deposed.

4 3. Lead counsel for Plaintiffs began trial in person on April 20, 2021 in *Torres, et al. v.*
5 *Scaffold Works, Inc.*, Santa Clara County Superior Court Case No. 17CV316321. The trial is expected
6 to be completed on approximately June 9, 2021.

7 4. This stipulation and proposed order continues only the date to complete non-expert
8 discovery, including motions to compel any non-expert discovery; it does not alter any other dates this
9 Court set. The only continuance of any of the deadlines set forth in the Court's July 7, 2020
10 Scheduling Order that the Parties sought and obtained was the deadline to amend the pleadings.

11 5. The Parties agree that good cause exists to continue the deadline to complete non-expert
12 discovery, including motions to compel any non-expert discovery, from May 3, 2021 to July 9, 2021.
13 This continuance will permit them time to complete all necessary non-expert discovery after Plaintiff's
14 counsel's trial concludes.

15 It is so stipulated.

16 Dated: April 29, 2020

EMANUEL LAW GROUP

17
18 By: /s/ Todd P. Emanuel
19 Todd P. Emanuel
20 Attorney for Plaintiffs
21 LISA NOVAK and PATRICK NOVAK

22 Dated: April 29, 2020

ALLEN, GLAESSNER, HAZELWOOD & WERTH

23
24 By: /s/ Patrick Moriarty (authorized on 04/29/2021)
25 Patrick Moriarty
26 Attorney for Defendants
27 MADERA, KAYLA CLARK, DORIAN LASSO,
28 ROBERT MAHONEY, and ANTHONY
 MARTINEZ

ORDER

Pursuant to the parties' above stipulation (Doc. 25), and for good cause shown, IT IS HEREBY ORDERED that deadline to complete non-expert discovery, including motions to compel any non-expert discovery, is continued from May 3, 2021 to July 9, 2021. All other dates set forth in the Scheduling Order (Doc. 12) shall remain unchanged.

IT IS SO ORDERED.

Dated: May 3, 2021

[Signature] Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE